

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

Crystal Long	*
	*
Plaintiff,	* Case No.: 8:17-cv-01955-GJH
	*
v.	*
	*
Pendrick Capital Partners II, LLC, et al.	*
	*
Defendants.	*
	*

PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT

COMES NOW the Plaintiff, Crystal Long, by and through the undersigned counsel and pursuant to Federal Rule of Civil Procedure 56(a), hereby files her Motion for Partial Summary Judgment and accompanying Memorandum of Law, and as grounds in support thereof states as follows:

1. Plaintiff filed this lawsuit on May 19, 2017.
2. Defendant Ability Recovery Services, LLC (“Ability”) is a collection agency that does business in Maryland and has its principal place of business in Scranton, Pennsylvania.
3. Defendant Pendrick Capital Partners II, LLC is a debt buyer that does business in Maryland and has its principal place of business in Alexandria, Virginia.
4. In November 2016, Pendrick placed a medical debt from EmCare-Randall Emergency Physicians (“EmCare Debt”) with Ability for collections.
5. The underlying debt information included a name the same as Plaintiff’s but a

- birthdate, Social Security number, address, and employer that did not match Plaintiff's.
6. Ability received, at minimum, the birth date and address that did not match Plaintiff's.
 7. Ability replaced the address it had received with Plaintiff's address.
 8. In November 2016, Ability send Plaintiff two dunning letters related to the EmCare debt.
 9. Plaintiff contacted Ability immediately to convey that the debt did not belong to her.
 10. Ability did not cease collection but instead reported the debt to the three major consumer reporting agencies ("CRAs").
 11. Plaintiff disputed the reporting multiple times between December 2016 and May 2017, but each time, Ability confirmed the debt.
 12. Ability confirmed the debt even though it had no information that matched Plaintiff's.
 13. Ability did not contact Pendrick in connection with Plaintiff's disputes.
 14. Plaintiff seeks summary judgment on Counts I (Violation of the Fair Credit Reporting Act, 15 U.S.C. § 1681s-2(b)) and III (Violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692e and f).
 15. A Memorandum of Law is filed contemporaneously with this Motion describing the matters asserted herein in greater detail.

WHEREFORE Plaintiff Crystal Long respectfully requests this Honorable Court grant Summary Judgment in her favor as to Counts I (Violation of the Fair Credit Reporting Act, 15 U.S.C. § 1681s-2(b)) and III (Violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692e and f) of her Amended Complaint.

Respectfully submitted,

Dated: March 27, 2018

/s/ Courtney L. Weiner

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